

11/14 93

CAUSE NO. 199 596 97

DSC COMMUNICATIONS CORPORATION,

Plaintiff,

v.

EVAN BROWN,

Defendant.

§
§
§
§
§
§
§
§
§
§

IN THE DISTRICT COURT OF

COLLIN COUNTY, TEXAS

219TH JUDICIAL DISTRICT

**PLAINTIFF DSC COMMUNICATIONS CORPORATION'S
MOTION TO COMPEL DISCOVERY RESPONSES
FROM INTERVENOR LANCE FLORES**

TO THE HONORABLE JUDGE OF SAID COURT:

DSC Communications Corporation ("DSC") files this Motion to Compel Discovery Responses from Intervenor Lance Flores ("Intervenor") and would respectfully show the following:

I.

FACTUAL BACKGROUND

1. On September 30, 1997, DSC hand served Intervenor with its First Set of Interrogatories (attached hereto as Exhibit A) and First Request for Production to Intervenor (attached hereto as Exhibit B). Pursuant to the Texas Rules of Civil Procedure, Intervenor had thirty days from September 30, 1997, within which to respond to these discovery requests. To date, DSC has received no responses from Intervenor to these discovery requests.

2. Based on Intervenor's failure to provide responses to DSC's discovery requests, DSC files this Motion to Compel.

WHEREFORE, PREMISES CONSIDERED, DSC respectfully requests that the Court enter an order compelling Intervenor to fully respond to DSC's First Set of Interrogatories, First Set of Requests for Admissions, and First Request for Production to Intervenor, and for such other and further relief to which DSC may show itself to be justly entitled.

Respectfully submitted,

LYNN STODGHILL MELSHEIMER & TILLOTSON, L.L.P.

By: 

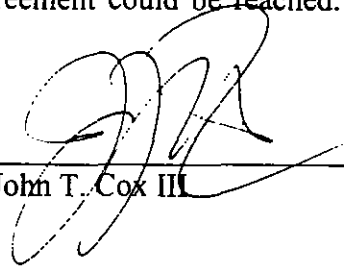
Michael P. Lynn, P.C.
State Bar No. 12738500
Eric W. Pinker
Texas Bar No. 16016550
John T. Cox III
Georgia Bar No. 192530

750 North St. Paul Street
Suite 1400
Dallas, Texas 75201
(214) 981-3800 - Telephone
B(214) 981-3839 - Telecopy

**ATTORNEYS FOR PLAINTIFF
DSC COMMUNICATIONS CORPORATION**

CERTIFICATE OF CONFERENCE

I hereby certify that on November 14, 1997, I attempted to resolve the subject matter of this motion with counsel for Intervenor, but that no agreement could be reached. This motion is, therefore, submitted to the Court for disposition.



John T. Cox III

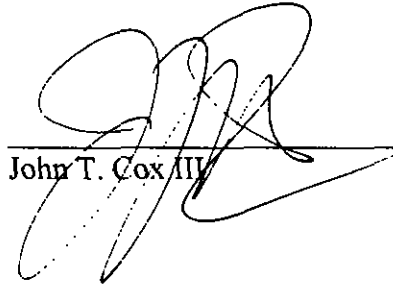
FIAT

The above Motion to Compel Interrogatory Responses is set for hearing in the 219 Judicial District Court on the ___ day of _____, 1997 at ___ o'clock __.m.

JUDGE PRESIDING

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and correct copy of the above and foregoing document has been served via certified mail, return receipt requested, upon all counsel of record, on this the 14th day of November, 1997:



John T. Cox III

CAUSE NO. 199-596-97

DSC COMMUNICATIONS CORPORATION,

Plaintiff,

v.

EVAN BROWN,

Defendant.

§
§
§
§
§
§
§
§
§
§

IN THE DISTRICT COURT OF

COLLIN COUNTY, TEXAS

199TH JUDICIAL DISTRICT

**PLAINTIFF DSC COMMUNICATION CORPORATION'S
FIRST SET OF INTERROGATORIES TO INTERVENOR LANCE FLORES**

TO: Defendant Lance Flores, 6514 Ridgecrest 222, Dallas, Texas 75231.

You are hereby directed to answer the following written interrogatories separately and fully, in writing and under oath in accordance with the Texas Rules of Civil Procedure, having answers signed by the person making them and serving a true copy of the answers and responses on the undersigned attorney within thirty (30) days from date of service hereof.

**I.
INSTRUCTIONS**

1. When you are requested to "identify" any person, you shall set forth the full name, the last-known business address (or residence address if business address is unavailable), the last-known telephone number or numbers and the employer of each person you are asked to identify. If the "person" identified is a corporation or other entity, you shall provide the full name and the current address and telephone number of such corporation or entity and a listing of its principal officers.

2. When you are requested to "identify" a document, please furnish the following information:

DEPUTY
Adalberto
DEPUTY

- a. the date of the document;
- b. a brief description of the contents of the document;
- c. a description of the subject matter to which the document pertains;
- d. the name and address of each person who wrote, signed, initialed, dictated, or otherwise participated in the creation or obtaining of such document;
- e. the name and address of each addressee and all persons receiving or shown the document or copies thereof; and
- f. the names and addresses of the persons in whose custody, possession or control the document is presently maintained.

In lieu of providing the foregoing information, you may attach to your response to these interrogatories a true and correct copy of the document or documents containing the information requested, provided your response clearly identifies the attached document or documents and specifies where in the attached document or documents the requested information may be found.

3. When you are requested to "identify" a communication, you shall indicate whether the communication was oral or was embodied in or evidenced by a document. If the latter is the case, you shall identify the communication in accordance with the instructions for identifying documents set forth in paragraph 2 above. If the communication is oral, you shall identify all conversations or other oral communication pertaining to the subject matter of the interrogatory and shall include the following information:

- a. the date of transmittal;
- b. the place or location at which the communication occurred, including the state, city, street address, and the name or nature of the premises;
- c. whether such communication occurred over the telephone or other electronic device, or at a face-to-face meeting;

- d. you shall identify each of the persons participating in such communication and each person in the immediate presence of any such person participating therein;
 - e. a brief description of the subject matters discussed; and
 - f. a brief description of the statements made by each person participating in such communication.
4. The singular is meant to include the plural and the plural is meant to include the singular.
 5. The masculine gender is meant to include the feminine gender.
 6. If, after answering, you become aware of different, supplemental or additional information relating to the subject matter of these interrogatories, you are instructed to promptly file and serve supplemental answers.

II. DEFINITIONS

1. "Document" means the original, or if the original is not in your custody or under your control, a copy thereof; and, in any event, the term includes any non-identical copy or copies which differ from the original for any reason (e.g., draft copy or copy containing notes thereon). "Document" further means any kind of printed, recorded, written, graphic or photographic matter (including tape recording), however printed, produced, reproduced, coded or stored, of any kind or description, whether sent or received, including originals, copies, reproductions, facsimiles, drafts, and including, without limitation: papers, books, accounts, letters, telegrams, cables, telex messages, memoranda, notes, notations, work papers, routing slips; intra and interoffice communications to, between or among directors, officers, agents, attorneys, accountants or employees; transcripts, minutes, reports and recordings of conversations, interviews, conferences, committee meetings or

other meetings; affidavits, statements, summaries, opinions, court pleadings and reports; indices, studies, analyses, forecasts and evaluations; contracts, licenses, and agreements; invoices, notebooks, entries, ledgers, journals, books of record, accounts, summaries of accounts, balance sheets, income statements; questionnaires, answers to questionnaires, statistical records, advertisements, brochures, circulars, bulletins, pamphlets, trade letters; desk calendars, appointment books, diaries, telephone logs, expense accounts, lists, tabulations; data sheets, computer tapes and discs, magnetic tapes, punch cards, computer printouts, data processing input and output, computer files, computer programs, computer program coding sheets, microfilms, microfiche; models, photographs, drawings, sketches, blueprints, objects, and other tangible things; correspondence, whether written or received; and things similar to any of the foregoing, regardless of their author or origin, however denominated by the person upon whom the request is made.

2. "You," or any variant thereof, means the party to which these interrogatories are directed, its former or current officers, directors, employees, agents, accountants, legal representatives, or attorneys.

3. "Person" refers to any individual, corporation, general partnership, limited partnership, joint venture, association, joint-stock company, trust, incorporated organization, government or political subdivision thereof, and other non-natural persons of whatever nature.

4. The term "Brown" refers to Defendant Evan Brown.

5. The term "DSC" means Plaintiff DSC Communications, Corporation, and any related entities.

6. The term "Flores" means Intervenor Lance Flores, and any related entities.

7. The term "Petition" refers to Plaintiff's Original Petition and any amendments thereto, filed on April 24, 1997, by DSC Communications Corporation in Cause No. 199-496-97 in the 199th Judicial District Court, Collin County, Texas.

8. The term "Petition In Intervention" refers to Intervenor's Petition in Intervention and any amendments thereto, filed July 21, 1997, by Lance Flores in Cause No. 199-496-97 in the 199th Judicial District Court, Collin County, Texas.

9. The word "communication," or any variant thereof, means any contact between two or more persons and shall include, without limitation, written contact by means such as letters, memoranda, telegrams, teletypes or telexes, or by any document, and any oral contact such as face-to-face meetings and telephone conversations.

10. The phrase "relate to" subject matter specified below, or any variant thereof, means any document that constitutes, contains, embodies, evidences, memorializes, responds to, describes, analyzes, or is otherwise pertinent to subject matter, including but not limited to, documents concerning the presentation of such document or documents from which such document is derived.

11. "Concerning" or "evidencing," or any variant thereof, includes referring to, supporting, located in, considered in connection with, bearing, bearing on, evidencing, indicating, reporting on, recording, alluding to, responding to, relating to, opposing, favoring, connected with, commenting on, in respect of, about, regarding, discussing, showing, describing, reflecting, analyzing, constituting and being.

12. "All" shall be understood to include and encompass "any". The word "and" as well as "or" shall be construed disjunctively or conjunctively as necessary to bring within the scope of

these interrogatories all documents, things or communications which might otherwise be construed to be outside their scope.

13. The term "Solution" means Brown's idea, method, concept, process, product, or device for converting machine executable binary code into a high level source code form using logic and data abstractions.

14. The term "Flores Conversion Technology" means Lance Flores' "computer automated solution to . . . DSC's manual conversion efforts" as referenced in paragraph 2 of the Petition in Intervention.

15. The term "Cyber" means Cyber Automation Sciences, Inc.

16. All other terms are to be interpreted in accordance with their normal usage in the English language.

III. INTERROGATORIES

INTERROGATORY NO. 1:

Please identify the individual(s) answering these interrogatories.

ANSWER:

INTERROGATORY NO. 2:

Please identify each person who has knowledge of any facts relevant to the claims made in the Petition, as defined in the Texas Rules of Civil Procedure, describing the substance of each person's knowledge.

ANSWER:

INTERROGATORY NO. 3:

Please identify each person who has knowledge of any facts relevant to the claims made in the Petition in Intervention, as defined in the Texas Rules of Civil Procedure, describing the substance of each person's knowledge.

ANSWER:

INTERROGATORY NO. 4:

Please identify any experts engaged by you or your attorney who may be called to testify at trial.

ANSWER:

INTERROGATORY NO. 5:

Please identify any expert that you have consulted in this case, if such experts opinion, impressions, or work product have been reviewed by any testifying witness, including any expert witness identified in Interrogatory No. 4 above, in this case.

ANSWER:

INTERROGATORY NO. 6:

For each expert named in your answer to Interrogatory No. 4 or No. 5 above, please state the date on which he/she was first consulted by you or your attorney(s), the subject matter on which he/she is expected to testify, the mental impressions and opinion held by each expert, and a summary of the grounds for each opinion.

ANSWER:

INTERROGATORY NO. 7:

For each expert named in your answer to Interrogatory No. 4 or No. 5 above, please state the facts known to the expert which relate to or form the basis of the mental impressions and opinions held by the expert.

ANSWER:

INTERROGATORY NO. 8:

Please identify and describe in detail the Flores Conversion Technology.

ANSWER:

INTERROGATORY NO. 9:

Please identify all documents related to the Flores Conversion Technology.

ANSWER:

INTERROGATORY NO. 10:

Please identify all efforts by you to protect or preserve to the Flores Conversion Technology.

ANSWER:

INTERROGATORY NO. 11:

Please identify all patent applications and/or issued patents, if any, that relate to the Flores Conversion Technology.

ANSWER:

INTERROGATORY NO. 12:

Please identify each and every person you have contacted in an effort to seek backing or financing for the development of the Flores Conversion Technology

ANSWER:

INTERROGATORY NO. 13:

Please identify what damages, if any, you are claiming, and describe in detail the method by which you calculated the amount of such damages.

ANSWER:

INTERROGATORY NO. 14:

Please identify all witnesses you intend to call at trial.

ANSWER:

INTERROGATORY NO. 15:

Please describe in detail your understanding of the Solution.

ANSWER:

INTERROGATORY NO. 16:

Please identify all conversations you have had with Evan Brown regarding the Solution.

ANSWER:

INTERROGATORY NO. 17:

Please identify all conversations you have had with Evan Brown regarding Flores Conversion Technology.

ANSWER:

INTERROGATORY NO. 18:

Please identify all employees, agents, representatives of DSC with whom you have discussed the Flores Conversion Technology.

ANSWER:

INTERROGATORY NO. 19:

Please identify all proposals, plans and presentations to DSC or Motorola concerning the Flores Conversion Technology.

ANSWER:

INTERROGATORY NO. 20:

Please identify all agreements between (i) you and DSC or (ii) you and Cyber.

ANSWER:

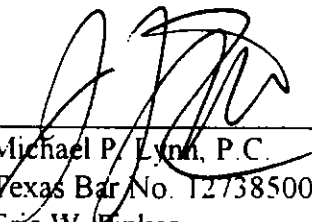
INTERROGATORY NO. 21:

Please identify or describe in detail your relationship with Cyber.

ANSWER:

Respectfully submitted,

LYNN STODGHILL MELSHEIMER & TILLOTSON, L.L.P.

By: 

Michael P. Lynn, P.C.
Texas Bar No. 12738500
Eric W. Pinker
Texas Bar No. 16016550
John T. Cox III
Georgia Bar No. 192530

750 North St. Paul Street
Suite 1400
Dallas, Texas 75201
(214) 981-3800 - Telephone
(214) 981-3839 - Telecopy

**ATTORNEYS FOR PLAINTIFF
DSC COMMUNICATIONS CORPORATION**

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and correct copy of the above and foregoing document has been served, via hand delivery on Lance Flores and via certified mail return receipt, requested, upon counsel for Defendant Evan Brown, as identified below, on this the 30th day of September, 1997:

CM. RRR NO. P 125 920 408

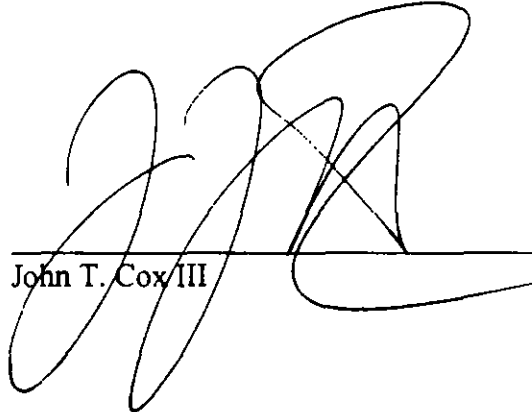
Lance Flores
6514 Ridgecrest 222
Dallas, Texas 75231.

CM. RRR NO. P 125 920 406

Richard Sayles, Esq.
Eric D. Pearson, Esq.
Sayles & Lidji, P.C.
1201 Elm Street, Suite 4400
Dallas, Texas 75270

CM. RRR NO. P 125 920 407

Dale Drake, Esq.
110 East Davis, Suite 200
Post Office Box 1662
McKinney, Texas 75070-1662



John T. Cox III

CAUSE NO. 199-596-97

DSC COMMUNICATIONS
CORPORATION,

Plaintiff,

v.

EVAN BROWN,

Defendant.

§
§
§
§
§
§
§
§
§
§

IN THE DISTRICT COURT OF

COLLIN COUNTY, TEXAS

199TH JUDICIAL DISTRICT

**PLAINTIFF DSC COMMUNICATION CORPORATION'S
FIRST REQUEST FOR PRODUCTION TO INTERVENOR LANCE FLORES**

TO: Defendant Lance Flores, 6514 Ridgecrest 222, Dallas, Texas 75231.

You are hereby requested, pursuant to the Texas Rules of Civil Procedure, to serve written responses to this First Request for Production of Documents within thirty (30) days of service hereof, and to produce for inspection and copying the documents, records, letters, account books, and all other items described below at the offices of Lynn Stodghill Melsheimer & Tillotson, L.L.P., 750 North St. Paul Street, Suite 1400, Dallas, Texas 75201.

**I.
INSTRUCTIONS**

1. When you are requested to "identify" any person, you shall set forth the full name, the last-known business address (or residence address if business address is unavailable), the last-known telephone number or numbers and the employer of each person you are asked to identify. If the "person" identified is a corporation or other entity, you shall provide the full name and the current address and telephone number of such corporation or entity and a listing of its principal officers.

2. When you are requested to "identify" a document please furnish the following information:

1997 OCT -1 4:10:22

[Handwritten signature]
LAWYER

- a. the date of the document;
- b. a brief description of the contents of the document;
- c. a description of the subject matter to which the document pertains;
- d. the name and address of each person who wrote, signed, initialed, dictated, or otherwise participated in the creation or obtaining of such document;
- e. the name and address of each addressee and all persons receiving or shown the document or copies thereof; and
- f. the names and addresses of the persons in whose custody, possession or control the document is presently maintained.

In lieu of providing the foregoing information, you may attach to your response to these requests a true and correct copy of the document or documents containing the information requested, provided your response clearly identifies the attached document or documents and specifies where in the attached document or documents the requested information may be found.

3. When you are requested to "identify" a communication, you shall indicate whether the communication was oral or was embodied in or evidenced by a document. If the latter is the case, you shall identify the communication in accordance with the instructions for identifying documents set forth in paragraph 2 above. If the communication is oral, you shall identify all conversations or other oral communication pertaining to the subject matter of the interrogatory and shall include the following information:

- a. the date of transmittal;
- b. the place or location at which the communication occurred, including the state, city, street address, and the name or nature of the premises;
- c. whether such communication occurred over the telephone or other electronic device, or at a face-to-face meeting;

- d. you shall identify each of the persons participating in such communication and each person in the immediate presence of any such person participating therein;
 - e. a brief description of the subject matters discussed; and
 - f. a brief description of the statements made by each person participating in such communication.
4. The singular is meant to include the plural and the plural is meant to include the singular.
 5. The masculine gender is meant to include the feminine gender.
 6. If, after answering, you become aware of different, supplemental or additional information relating to the subject matter of these interrogatories, you are instructed to promptly file and serve supplemental answers.

II. DEFINITIONS

1. "Document" means the original, or if the original is not in your custody or under your control, a copy thereof; and, in any event, the term includes any non-identical copy or copies which differ from the original for any reason (*e.g.*, draft copy or copy containing notes thereon). "Document" further means any kind of printed, recorded, written, graphic or photographic matter (including tape recording), however printed, produced, reproduced, coded or stored, of any kind or description, whether sent or received, including originals, copies, reproductions, facsimiles, drafts, and including, without limitation: papers, books, accounts, letters, telegrams, cables, telex messages, memoranda, notes, notations, work papers, routing slips; intra and interoffice communications to, between or among directors, officers, agents, attorneys, accountants or employees; transcripts, minutes, reports and recordings of conversations, interviews, conferences, committee meetings or

other meetings; affidavits, statements, summaries, opinions, court pleadings and reports; indices, studies, analyses, forecasts and evaluations; contracts, licenses, and agreements; invoices, notebooks, entries, ledgers, journals, books of record, accounts, summaries of accounts, balance sheets, income statements; questionnaires, answers to questionnaires, statistical records, advertisements, brochures, circulars, bulletins, pamphlets, trade letters; desk calendars, appointment books, diaries, telephone logs, expense accounts, lists, tabulations; data sheets, computer tapes and discs, magnetic tapes, punch cards, computer printouts, data processing input and output, computer files, computer programs, computer program coding sheets, microfilms, microfiche; models, photographs, drawings, sketches, blueprints, objects, and other tangible things; correspondence, whether written or received; and things similar to any of the foregoing, regardless of their author or origin, however denominated by the person upon whom the request is made.

2. The term "you," "Flores," or "Intervenor" means Intervenor Lance Flores.

3. Any reference to an individual person, either singularly or as part of a defined group, includes that person's employees, agents, successors, assigns, heirs, and personal representatives.

4. Any reference to a nonnatural person includes that person's directors, officers, employees, agents, predecessors, successors, assigns, legal representatives, and subsidiaries.

5. The term "DSC" means Plaintiff DSC Communications Corporation.

6. The term "Brown" means Defendant Evan Brown.

7. The term "Flores" means Intervenor Lance Flores.

8. The term "Petition" means Plaintiff's Original Petition and Application for Injunctive

Relief filed in this action on or about April 22, 1997.

9. The term "Petition in Intervention" means Intervenor's Petition in Intervention filed in this action on July 21, 1997 in Cause No. 199-496-97 in the 199th Judicial District Court, Collin County, Texas.

10 The term "Employee Patent, Copyright and Proprietary Information Agreement" means the Agreement by and between DSC Communication Corporation and Evan Brown executed on or about April 27, 1987, which is attached to the Petition as Exhibit "1."

11. The terms "concerning" or "evidencing," or any variant thereof, include, but are not limited to, the following meanings: relating to; referring to; pertaining to; discussing; mentioning; containing; reflecting; evidencing; describing; displaying; showing; identifying; proving; disproving; consisting of; supporting; contradicting; in any way legally, logically or factually connected with the matters referenced; or having a tendency to prove or disprove the matter referenced.

12. The term "person" refers to any individual, corporation, general partnership, limited partnership, joint venture, association, joint-stock company, trust, incorporated organization, government or political subdivision thereof, and other nonnatural person of whatever nature.

13. The term "all" includes and encompasses "any." The word "and" as well as "or" shall be construed disjunctively or conjunctively as necessary to bring within the scope of these requests all facts, documents, things, or communications that might otherwise be construed as outside the scope of these requests.

14. The term "communication," or any variant thereof, means any contact between two or more persons and shall include, without limitation, written contact by means such as letters, memoranda, telegrams, teletypes, telexes, or any other document, and any oral contract, such as face-to-face meetings or telephone conversations.

15. The term "Solution" means Brown's idea, method, concept, process, product, or device for converting machine executable binary code into a high level source code form using logic and data abstractions.

16. The term "Flores Conversion Technology" means Lance Flores' "computer automated solution to . . . DSC's manual conversion efforts" as referenced in paragraph 2 of the Petition in Intervention.

17. The term "Cyber" means Cyber Automation Sciences, Inc.

18. All other terms are to be interpreted in accordance with their normal usage in the English language.

III. REQUESTS FOR PRODUCTION

REQUEST NO. 1:

Any and all documents that relate or refer to any of the allegations contained in the Petition in Intervention.

REQUEST NO. 2:

Any and all documents that relate or refer to any of the allegations contained in the Petition.

REQUEST NO. 3:

Any and all reports, factual observations, tests, supporting data, calculations, photographs or opinions of each expert witness you intend to call, either in person or by deposition, at the trial of this case. If such reports, observations, tests, supporting data, calculations, photographs, and opinions have not been recorded or reduced to a tangible form, request is made that they be reduced to a tangible form and produced at this time.

REQUEST NO. 4:

All slides, films, videotapes, and/or photographs which refer to the allegations contained in the Petition In Intervention.

REQUEST NO. 5:

All slides, films, videotapes, and/or photographs which refer to the allegations contained in the Petition.

REQUEST NO. 6:

All documents or other materials related to DSC.

REQUEST NO. 7:

All documents or other materials related to Motorola.

REQUEST NO. 8:

All documents or other materials related to the Solution.

REQUEST NO. 9:

All documents or other materials related to Brown.

REQUEST NO. 10:

All documents or other materials related to Evan Brown Consulting.

REQUEST NO. 11:

All documents or other materials related to the Flores Conversion Technology.

REQUEST NO. 12:

All documents or other materials related to your offer to provide DSC, Motorola or both with the Flores Conversion Technology.

REQUEST NO. 13:

All documents related to any communications between you and any other person or entity concerning the Flores Conversion Technology.

REQUEST NO. 14:

All agreements between you and any person or entity concerning the Flores Conversion Technology.

REQUEST NO. 15:

All business plans, strategies, memoranda, or analyses related to the sale and/or marketing of the Flores Conversion Technology.

REQUEST NO. 16:

All business plans, strategies, memoranda, or analyses related to the research and development of the Flores Conversion Technology.

REQUEST NO. 17:

Your calendar, daytimer, and message books for the year 1992.

REQUEST NO. 18:

All documents sent to or received from Brown.

REQUEST NO. 19:

All documents sent to or received from any employee, agent or representative of DSC.

REQUEST NO. 20:

All documents relating to any conversations between you and Brown.

REQUEST NO. 21:

All documents relating to any conversations between you and any employee of DSC.

REQUEST NO. 22:

A copy of any "statement," as that term is defined by the Tex.R.Civ.P. 166(b)(2)(g), previously made by any party to this lawsuit, including past and present agents, representatives, and/or employees of DSC.

REQUEST NO. 23:

All tape recordings or transcripts of tape recordings which contain, or purport to contain, statements of any employee of DSC.

REQUEST NO. 24:

All exhibits you intend to introduce at trial.

REQUEST NO. 25:

All agreements between DSC and you.

REQUEST NO. 26:

All confidentiality agreements that you entered into with DSC, Motorola, or both concerning the Flores Conversion Technology.

REQUEST NO. 27:

All agreements between you or Cyber concerning the Flores Conversion Technology.

REQUEST NO. 28:

All documents identified in response to DSC's First Interrogatories to Intervenor Lance Flores.

REQUEST NO. 29:

All documents relating to your claim for damages, if any, in this lawsuit.

REQUEST NO. 30:

All documents relating to the creation, formation, dissolution or termination of Cyber. Such documents include, but are not limited to, any Articles of Incorporation, Bylaws, Corporate Minutes of Cyber.

Respectfully submitted,

LYNN STODGHILL MELSHEIMER & TILLOTSON, L.L.P.

By: 

Michael P. Lynn, P.C.
State Bar No. 12738500
Eric W. Pinker
State Bar No. 16016550
John T. Cox III
GA Bar No. 192530

750 North St. Paul Street
Suite 1400
Dallas, Texas 75201
(214) 981-3800 - Telephone
(214) 981-3839 - Telecopy

**ATTORNEYS FOR PLAINTIFF
DSC COMMUNICATIONS CORPORATION**

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and correct copy of the above and foregoing document has been hand delivered upon Lance Flores and via certified mail return receipt requested, upon counsel for Defendant Evan Brown, as identified below, on this the 30th day of September, 1997:

CM. RRR NO. P 125 920 408

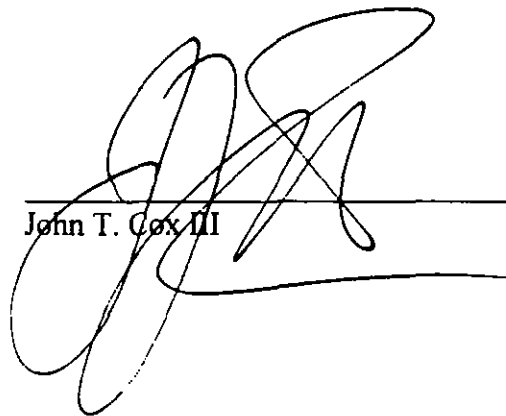
Lance Flores
6514 Ridgecrest 222
Dallas, Texas 75231.

CM. RRR NO. P 125 920 406

Richard Sayles, Esq.
Eric D. Pearson, Esq.
Sayles & Lidji, P.C.
1201 Elm Street, Suite 4400
Dallas, Texas 75270

CM. RRR NO. P 125 920 407

Dale Drake, Esq.
110 East Davis Street, Suite 200
Post Office Box 1662
McKinney, Texas 75070-1662



John T. Cox III